

REMARKS

Applicant has amended the specification and claims 1, 15, 19 to replace the term "green salt" with --copperas-- as proper translation of the German term "Grünsalz" to provide consistency throughout the specification and claims. It is noted that the original translation of the German-language international PCT application PCT/EP2004/014092 refers only to the term "copperas" as translation for "Grünsalz".

With regard to the requirement for restriction which is the only point raised in the Official Action, Applicant hereby provisionally elects to prosecute Group II, covering claims 15-18, 25, with traverse, and reserves the right to file a divisional application or to take such other appropriate measures as deemed necessary to protect the claimed subject matter of Groups I and III.

Applicant believes, however, that the elected claims 15-18, 25 of Group I are so closely related to the non-elected claims of Groups I and III, that they should remain in the same application to preserve unity of invention. The instant patent application is based on an international PCT application so that the unity of invention standard is applicable here.

In the case at hand, independent claim 15 of elected Group II is directed to a chromate reducer which includes a mixture of two iron(II) sulfate components and an acid regulator, with a first iron(II) sulfate component being filter salt obtained during titanium dioxide production, and a second iron(II) sulfate component being copperas. The acid regulator is further defined in elected claim 16 as mineral acid regulator.

Independent claim 1 of non-elected Group I is directed to a hydraulic binder which includes cement as main constituent, a mixture of a chromate reducer and a carrier material, whereby the chromate reducer contains two iron(II) sulfate components, with the first component being filter salt obtained during titanium dioxide production, and with a second component being copperas. In addition, the chromate reducer contains a mineral acid regulator. Independent claim 19 of non-elected Group III is directed to a method which has as main claim limitation the production of a

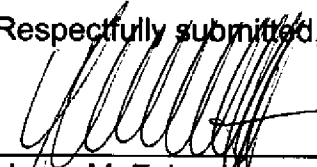
chromate reducer on the basis of a mixture of iron(II) sulfate in the form of filter salt obtained during titanium dioxide production, iron(II) sulfate in the form of copperas and a mineral acid regulator.

Thus, independent claims 1, 15, 19 have a common technical feature based on the claimed chromate reducer.

The Examiner substantiates the restriction requirement by referring to the disclosure of U.S. Pat. No. 4,784,691 to Rasmussen and notes that Rasmussen presumably describes a chromate reducing compound in accordance with the common technical feature as set forth above. Applicant respectfully disagrees. Rasmussen describes in col. 2, ll. 34-35 the addition of a ferrous sulfate ($\text{FeSO}_4 \cdot n\text{H}_2\text{O}$) to cement. The ferrous sulfate is of a type marketed under the trademark FERROMEL-20 which involves an iron sulfate heptahydrate with an oxidation layer. Nothing in Rasmussen teaches or suggests the combination of iron sulfate heptahydrate (copperas) with filter salt obtained during titanium dioxide production (in which the iron sulfate component is present as monohydrate) and an acid regulator.

It is believed that the Examiner is trying to draw too fine a line of distinction and that when all the various facts are taken into account, all claims on file should be examined on the merits. Moreover, it is applicant's contention that the Examiner does not have a serious burden in examining all claims in one application and there is no need to insist upon restriction.

Since applicant has fully and completely responded to the Official Action and has made the required election, this application is now in order for early action on the merits of claims 15-18, 20.

Respectfully submitted,

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